

Appln No. 10/750,501
Amdt date March 2, 2006
Reply to Office action of November 2, 2005

REMARKS/ARGUMENTS

Claims 1-22 and 25-27 now remain pending in this application. Applicant has amended claims 1, 22 and 26, and has canceled claims 23 and 24. The amendments find full support in the original specification, claims and drawings. No new matter is presented. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

In the Office action dated November 2, 2005, the Examiner rejected claims 13-16, 19-22 and 25 under 35 U.S.C. § 102(e) as allegedly anticipated by Stewart, et al. (U.S. Patent No. 6,325,797). In so rejecting, the Examiner asserts that Stewart discloses "a method of ablating inner circumferences of pulmonary veins using a catheter with a circular ablation assembly, shape memory material, a cylindrical tip electrode, and a generally straight distal region." Office action, pg. 2. Applicant respectfully disagrees.

Each of independent claims 1, 13, 22 and 25 recite "contacting the *inner* circumference of the tubular region with at least a portion of the outer circumference of the generally circular curve." Stewart neither teaches nor suggests such a procedure. Rather, Stewart discloses positioning the loop "about the pulmonary vein ostium." (Column 7, lines 53-64; Figures 2A, 2B and 4B.) Consequently, Stewart teaches contacting the *outer* circumference of the pulmonary vein, and not the *inner* circumference, as claimed in the present application.

In addition, although the Examiner asserts that Stewart also discloses a generally straight distal region, Stewart fails to disclose that the generally straight distal region extends "substantially tangentially to the generally circular curve of the main region," as recited in independent claim 25. Moreover, Stewart fails to illustrate such a generally straight distal region. Accordingly, independent claims 1, 13, 22 and 25, and all claims dependent therefrom, including claims 2-12, 14-16 and 19-21, are allowable over Stewart.

The Examiner also rejected claims 1-5, 8-16 and 19-27 under 35 U.S.C. § 102(e) as allegedly anticipated by both Koblish (U.S. Patent No. 6,745,080) and Bowe, et al. (U.S. Patent No. 6,771,996). In rejecting the claims over Koblish, the Examiner asserts that Koblish discloses

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"rotation in clockwise and counterclockwise manners corresponding to pushing and pulling." Office action, pp. 2-3. Koblish discloses only the rotation of a stylet within a catheter body to wind and unwind the helical portion of the distal member. However, there is no rotation of the catheter, as recited in amended independent claims 1 and 22. Column 9, lines 65-66.

Similarly, the Examiner asserts that Bowe discloses the rotation of the ablation assembly. However, Bowe simply notes that "[u]sing a marker allows for the mapping catheter and the ablation catheter to rotate relative each other." Column 13, lines 2-4. Bowe does not disclose rotation of the catheter to facilitate ablation. In fact, once positioned in the desired area for ablation, Bowe fails to disclose any rotation. Rather, Bowe simply states that "energy is then applied to the ablation electrode system to ablate the tissue around the ostium to thereby form a circumferential lesion." Column 14, lines 31-36. Accordingly, independent claims 1 and 22, which both recite rotation of the catheter, and all claims dependent therefrom, including claims 2-12 are allowable over Koblish and Bowe. In addition, claim 26, which also recites rotation of the catheter body, is also allowable over Koblish and Bowe.

Koblish and Bowe also fail to teach or suggest that "the tip electrode has an exposed region, at least a portion of which has an outer diameter greater than the outer diameter of the flexible tubing of the ablation assembly," as recited in independent claim 13. As such, independent claim 13, and all claims dependent therefrom, including claims 14-16 and 19-21, are allowable over Koblish and Bowe.

Also, Koblish and Bowe fail to teach or suggest that the ablation assembly also has "a generally straight distal region extending substantially tangentially to the generally circular curve of the main region," as recited in independent claim 25. Although Koblish appears to disclose an anchor member extending beyond the distal member, the anchor member does not extend substantially tangentially from the helical portion of the distal member. Bowe similarly fails to disclose a generally straight distal region extending substantially tangentially from the generally circular curve of the main body. Accordingly, independent claim 25, and all claims dependent therefrom, including claims 26 and 27, are allowable over Koblish.

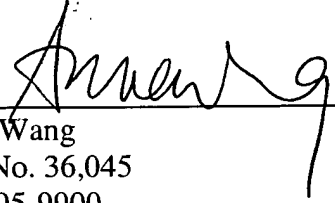
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Moreover, like Stewart, Bowe fails to teach or suggest "contacting the *inner* circumference of the tubular region with at least a portion of the outer circumference of the generally circular curve," as recited in independent claims 1, 13, 22 and 25. Rather, Bowe discloses positioning the ablation system "around the ostium," indicating that the ablation occurs on the *outer* circumference of the pulmonary vein. Column 14, lines 31-36.

Finally, the Examiner rejected claims 1-12, 17-20, 23, 24, 26 and 27 under 35 U.S.C. § 103(a) as allegedly obvious over Stewart in view of Bowe. However, neither Stewart nor Bowe disclose "contacting the *inner* circumference of the tubular region with at least a portion of the outer circumference of the generally circular curve," as discussed above. Accordingly, independent claims 1, 13, 22 and 25, and all claims dependent therefrom, including claims 2-12, 17-20, 23, 24, 26 and 27, are allowable over Stewart and Bowe.

In light of the above amendments and remarks, Applicant respectfully submits that all of pending claims 1-22 and 25-27, as amended, are in condition for allowance. Accordingly, Applicant respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated below.

Respectfully submitted,
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